

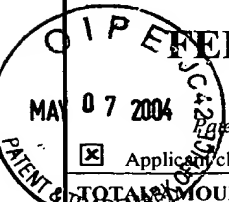
IFW  
AF  
1638

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/770,693
		Filing Date	January 26, 2001
		First Named Inventor	Beer et al.
		Group Art Unit	1638
		Examiner Name	A. Kubelik
Total Number of Pages in This Submission	28	Attorney Docket Number	19603/2501 (CRF D-2375A)

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply with Exhibits 1-3 <input checked="" type="checkbox"/> After Final <input checked="" type="checkbox"/> Declaration of Steven V. Beer and David W. Bauer Under 37 CFR § 1.131 and Exhibit A <input checked="" type="checkbox"/> Notice of Appeal and Three- Month Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> A copy of the Notice to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input checked="" type="checkbox"/> A self-addressed, prepaid postcard for acknowledging receipt <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 14-1138 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Edwin V. Merkel Nixon Peabody LLP Clinton Square, P.O. Box 31051 Rochester, New York 14603-1051 Telephone: (585) 263-1128 Fax: (585) 263-1600
Signature	 Registration No. 40,087
Date	May 5, 2004

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]	
I hereby certify that this correspondence is being:	
<input checked="" type="checkbox"/> deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450	
<input type="checkbox"/> transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) _____	
May 5, 2004 Date	 Signature Jane C. Wirszyła Typed or printed name

 <h2 style="margin: 0;">FEE TRANSMITTAL FOR FY 2004</h2> <p style="font-size: small; margin: 0;">Patent fees are subject to annual revision.</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>	Complete if Known	
	Application Number	09/770,693
	Filing Date	January 26, 2001
	First Named Inventor	Beer et al.
	Examiner Name	A. Kubelik
	Art Unit	1638
Attorney Docket No.		19603/2501 (CRF D-2375A)
TOTAL AMOUNT OF PAYMENT		(\$ 640)

<h3 style="text-align: center; margin: 0;">METHOD OF PAYMENT (check all that apply)</h3> <p> <input checked="" type="checkbox"/> Check           <input type="checkbox"/> Credit Card           <input type="checkbox"/> Money Order           <input type="checkbox"/> Other           <input type="checkbox"/> None       </p> <p> <input type="checkbox"/> Deposit Account:       </p> <div style="border: 1px solid black; padding: 2px; margin: 5px 0;">         Deposit Account Number: 14-1138       </div> <div style="border: 1px solid black; padding: 2px; margin: 5px 0;">         Deposit Account Name: Nixon Peabody LLP       </div> <p> <b>The Commissioner is authorized to:</b> (check all that apply)       </p> <p> <input type="checkbox"/> Charge fee(s) indicated below           <input checked="" type="checkbox"/> Credit any overpayments       </p> <p> <input checked="" type="checkbox"/> Charge any additional fee(s)       </p> <p> <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.       </p>	<h3 style="text-align: center; margin: 0;">FEE CALCULATION (continued)</h3> <h4 style="margin: 5px 0;">3. ADDITIONAL FEES</h4> <table border="1" style="width: 100%; border-collapse: collapse; font-size: x-small;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>1051</td> <td>130</td> <td>2051</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> </tr> <tr> <td>1052</td> <td>50</td> <td>2052</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> </tr> <tr> <td>1053</td> <td>130</td> <td>1053</td> <td>130</td> <td>Non-English specification</td> </tr> <tr> <td>1812</td> <td>2,520</td> <td>1812</td> <td>2,520</td> <td>For filing a request for <i>ex parte</i> reexamination</td> </tr> <tr> <td>1804</td> <td>920*</td> <td>1804</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> </tr> <tr> <td>1805</td> <td>1,840*</td> <td>1805</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> </tr> <tr> <td>1251</td> <td>110</td> <td>2251</td> <td>55</td> <td>Extension for reply within first month</td> </tr> <tr> <td>1252</td> <td>420</td> <td>2252</td> <td>210</td> <td>Extension for reply within second month</td> </tr> <tr> <td>1253</td> <td>950</td> <td>2253</td> <td>475</td> <td>Extension for reply within third month</td> </tr> <tr> <td>1254</td> <td>1,480</td> <td>2254</td> <td>740</td> <td>Extension for reply within fourth month</td> </tr> <tr> <td>1255</td> <td>2,010</td> <td>2255</td> <td>1,005</td> <td>Extension for reply within fifth month</td> </tr> <tr> <td>1401</td> <td>330</td> <td>2401</td> <td>165</td> <td>Notice of Appeal</td> </tr> <tr> <td>1402</td> <td>330</td> <td>2402</td> <td>165</td> <td>Filing a brief in support of an appeal</td> </tr> <tr> <td>1403</td> <td>290</td> <td>2403</td> <td>145</td> <td>Request for oral hearing</td> </tr> <tr> <td>1451</td> <td>1,510</td> <td>1451</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> </tr> <tr> <td>1452</td> <td>110</td> <td>2452</td> <td>55</td> <td>Petition to revive - unavoidable</td> </tr> <tr> <td>1453</td> <td>1,330</td> <td>2453</td> <td>665</td> <td>Petition to revive - unintentional</td> </tr> <tr> <td>1501</td> <td>1,330</td> <td>2501</td> <td>665</td> <td>Utility issue fee (or reissue)</td> </tr> <tr> <td>1502</td> <td>480</td> <td>2502</td> <td>240</td> <td>Design issue fee</td> </tr> <tr> <td>1503</td> <td>640</td> <td>2503</td> <td>320</td> <td>Plant issue fee</td> </tr> <tr> <td>1460</td> <td>130</td> <td>1460</td> <td>130</td> <td>Petitions to the Commissioner</td> </tr> <tr> <td>1807</td> <td>50</td> <td>1807</td> <td>50</td> <td>Processing fee under 37 CFR 1.17(q)</td> </tr> <tr> <td>1806</td> <td>180</td> <td>1806</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> </tr> <tr> <td>8021</td> <td>40</td> <td>8021</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> </tr> <tr> <td>1809</td> <td>770</td> <td>2809</td> <td>385</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> </tr> <tr> <td>1810</td> <td>770</td> <td>2810</td> <td>385</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> </tr> <tr> <td>1801</td> <td>770</td> <td>2801</td> <td>385</td> <td>Request for Continued Examination (RCE)</td> </tr> <tr> <td>1802</td> <td>900</td> <td>1802</td> <td>900</td> <td>Request for expedited examination of a design application</td> </tr> </tbody> </table> <p>Other fee (specify) _____</p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <span>*Reduced by Basic Filing Fee Paid</span> <div style="border: 1px solid black; padding: 2px;"> <b>SUBTOTAL (3)</b> (\$ 640)         </div> </div>	Large Entity		Small Entity		Fee Description	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	65	Surcharge - late filing fee or oath	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	1053	130	1053	130	Non-English specification	1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	1251	110	2251	55	Extension for reply within first month	1252	420	2252	210	Extension for reply within second month	1253	950	2253	475	Extension for reply within third month	1254	1,480	2254	740	Extension for reply within fourth month	1255	2,010	2255	1,005	Extension for reply within fifth month	1401	330	2401	165	Notice of Appeal	1402	330	2402	165	Filing a brief in support of an appeal	1403	290	2403	145	Request for oral hearing	1451	1,510	1451	1,510	Petition to institute a public use proceeding	1452	110	2452	55	Petition to revive - unavoidable	1453	1,330	2453	665	Petition to revive - unintentional	1501	1,330	2501	665	Utility issue fee (or reissue)	1502	480	2502	240	Design issue fee	1503	640	2503	320	Plant issue fee	1460	130	1460	130	Petitions to the Commissioner	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	1806	180	1806	180	Submission of Information Disclosure Stmt	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	1801	770	2801	385	Request for Continued Examination (RCE)	1802	900	1802	900	Request for expedited examination of a design application
Large Entity		Small Entity		Fee Description																																																																																																																																																		
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																			
1051	130	2051	65	Surcharge - late filing fee or oath																																																																																																																																																		
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																		
1053	130	1053	130	Non-English specification																																																																																																																																																		
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination																																																																																																																																																		
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																		
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																		
1251	110	2251	55	Extension for reply within first month																																																																																																																																																		
1252	420	2252	210	Extension for reply within second month																																																																																																																																																		
1253	950	2253	475	Extension for reply within third month																																																																																																																																																		
1254	1,480	2254	740	Extension for reply within fourth month																																																																																																																																																		
1255	2,010	2255	1,005	Extension for reply within fifth month																																																																																																																																																		
1401	330	2401	165	Notice of Appeal																																																																																																																																																		
1402	330	2402	165	Filing a brief in support of an appeal																																																																																																																																																		
1403	290	2403	145	Request for oral hearing																																																																																																																																																		
1451	1,510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																		
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																		
1453	1,330	2453	665	Petition to revive - unintentional																																																																																																																																																		
1501	1,330	2501	665	Utility issue fee (or reissue)																																																																																																																																																		
1502	480	2502	240	Design issue fee																																																																																																																																																		
1503	640	2503	320	Plant issue fee																																																																																																																																																		
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																		
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)																																																																																																																																																		
1806	180	1806	180	Submission of Information Disclosure Stmt																																																																																																																																																		
8021	40	8021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																		
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																		
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																		
1801	770	2801	385	Request for Continued Examination (RCE)																																																																																																																																																		
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																		

#### CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) \_\_\_\_\_

May 5, 2004

Date

*Jane C. Wirszyła*

Signature

Jane C. Wirszyła

Typed or printed name

<b>SUBMITTED BY</b>		Complete (if applicable)	
Name (Print/Type)	Edwin V. Merkel	Registration No.	40,087
Signature	<i>Edwin V. Merkel</i>	Telephone	(585) 263-1128
		Date	May 5, 2004

SEND TO: Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450